

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

Mustafa Hussein,	)	
	)	
Plaintiff,	)	No. 4:14-CV-1410 JAR
	)	
v.	)	
	)	
County of St. Louis, Missouri, et al.,	)	
	)	
Defendants.	)	

**AFFIDAVIT OF MATTHEW MILLER**

I, Matthew Miller, first being duly sworn, state and affirm that I have personal knowledge of the following facts;

1. I am over the age of 18 years and sound of mind.
2. I am a police officer employed by the City of Ferguson, Missouri, DSN #629.
3. I have served as a police officer for approximately five and one-half years. I have been employed in that capacity by Ferguson for the most recent year and one-half. I am a graduate of the Eastern Missouri Police Academy. I have also studied Criminal Justice at Florissant Valley Community College.
4. I have received specific training regarding police response to civil disturbances, including most recently in early 2014 and again in November 2014, which training included the importance of respecting the civil rights of demonstrators.
5. My supervisors have reminded me and the other officers with whom I work, at multiple roll calls, of the rights of members of the public to photograph and take video of public demonstrations and our public police work, provided such persons are not physically interfering with our work and are not violating any laws.
6. In addition to my education, training and directions from supervisors, I understand and personally support such rights of the public. I have been trying my best every shift to respect those rights, often in very difficult circumstances.
7. On April 14, 2015, at approximately 7:00 pm, I was at work on South Florissant Road in front of the Ferguson Police Department together with other city police officers. Demonstrators were

on the street, obstructing traffic, and creating a hazard to both themselves and the operators of vehicles traveling along the street.

8. Other officers gave multiple instructions for the demonstrators to clear the street and return to the sidewalk. Most of the demonstrators complied relatively promptly. One person failed to comply and other officers proceeded to arrest her. At that time, I attempted to secure the area around them in the street.

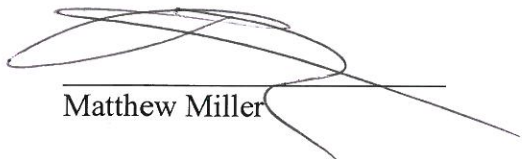
9. Out of the corner of my eye, I saw a man later identified as Scott Kampas jump off the sidewalk, and rapidly encroach upon the area of arrest that I was attempting to secure in the street. I told him that he was under arrest. I proceeded to make that arrest.

10. Mr. Kampas attempted to hand off a camera to someone else. I prevented that action, believing that the camera would contain evidence that he had unlawfully entered the street and encroached upon the area I was attempting to secure. On information and belief, his camera was returned to him upon his release on bond the same evening.

11. I did not arrest Mr. Kampas for taking video. I arrested him for disorderly conduct, due to his failure to comply with police directions and city ordinances requiring him to stay out of the street. I did not raise any other charges against him.

12. Two other people were arrested on similar charges at this time. Neither of them was engaged in taking photographs or videos. Numerous other people were engaged in taking photographs or videos at the time, and none of them were arrested.

Further affiant sayeth not.

  
Matthew Miller

On this 6<sup>th</sup> day of May, 2015, before me personally appeared Matthew Miller and being first duly sworn upon his oath, stated that the facts contained in the foregoing are true and correct according to the best of his information, knowledge and belief.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

